

### **III. REMARKS**

Claims 1-5 and 6-9 are pending in this application. Claim 1 has been amended; and claims 10 and 15 have been cancelled. The above amendments are provided to facilitate early allowance of the claimed subject matter. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Claims 10 and 15 have been objected to under 35 U. S. C. 175 (c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 15 has been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Claims 10 and 15 have been rejected as directed toward non-statutory subject matter. Claims 10 and 15 have been cancelled rendering these objections and rejection moot.

In the Office Action, claims 1, 4-8, 10/1, 10/4-10/8, and 15 are rejected under 35 U.S.C. §102(b) as being anticipated by Mattern et al. (USPN 6,763,342), hereinafter “Mattern”; and claims 2-3, 9 and 10/4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Mattern in view of Herz et al. (US Pub. No. 2001/0014868), hereinafter “Herz.” Applicants respectfully submit that the claimed invention is allowable for at least the reasons stated below.

Applicant has amended claim 1 to include the limitation of claim 6 which requires that the decision graph provide multiple entry points. This is not shown in Mattern. The Examiner cites in Mattern at col. 6, lines 15-20 that “a leap is used to redirect other decision points to a common question node”. This does not define multiple entry points for the user, rather, leaps are

used in place of a duplicate question node. One cannot enter the decision graph at a leap. Thus, the Examiner has not shown each element in the pending claims in the Mattern reference. Thus, this rejection should be withdrawn and the pending claims allowed.

Further, Mattern does not disclose, *inter alia*, “wherein the feedback nodes are configured to provide either an interim or final recommendation to the user” as recited in claims 1 and 9. Mattern discloses retrieving information from a decision path and providing a solution to a user. (See generally steps 504-518, cols. 11-12.) However, Mattern does not disclose providing a recommendation to a user even when the reasoning model has not reached the end of a tree, i.e. an interim recommendation. In contrast the claimed invention can provide a recommendation to a user at a point nearer to an entry point, i.e., based on incomplete information, when the system determines that a user may be losing interest, or where the information returned from question nodes that follow in the graph are expected to be subject to diminishing returns. Mattern does not disclose a system that is configured to provide such an interim recommendation. As such, Mattern does not disclose each and every claimed feature of the claimed invention and accordingly Applicants request that this rejection be withdrawn. The Examiner rejects these arguments by stating that “Inherently, every recommendation is either an interim or final recommendation, depending on whether or not a subsequent recommendation (update) is received.” This assertion is not supported by the Examiner. The Examiner states that if the recommendation in Mattern is subsequently replaced by another recommendation, then it was an interim recommendation; however, for an interim recommendation to be replaced, the user must start at the beginning and input new information to the decision nodes. This is using the

computer system multiple times rather than having the generation of an interim solution. Thus, Mattern does not anticipate every element of Applicant's claims.

The Examiner has rejected claims 2-3, and 9 under 35 U.S.C. §103(a) as being unpatentable over Mattern in view of Herz et al. (US Pub. No. 2001/0014868), hereinafter "Herz." Applicants respectfully submit that the claimed invention is allowable for the reasons stated below.

Herz also fails to teach multiple entry points in the decision graph and does not correct the deficiencies of Mattern. Therefore, Applicant submits that all dependant claims are allowable. However, for brevity, Applicant will forego addressing each of these rejections individually, but reserves the right to do so should it become necessary. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

#### **IV. CONCLUSION**

Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter.

Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for

allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

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